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EXECUTIVE DIRECTOR REPORT

DATE: June 18, 2015

TO: Catherine Payne, Chairperson

FROM: Tom Hutton, Executive Director

AGENDA ITEM: Executive Director’s Written Report:

- A. Update on Charter Schools’ Notices of Deficiency
- B. Update on Complaints Against Charter Schools
- C. Notification of Governing Board Meeting Waivers
- D. Updates on Commission’s Conditional Approval on Charter Schools’ Admission Policies and Procedures

The following written notices and updates are to apprise the Commission of certain developments, create a public record of these developments, and resolve items that were still pending in previous Commission minutes.

NOTICES OF DEFICIENCY OR CONCERN PENDING

No Notices of Deficiency or Concern were issued for the period of April 10-May 8, 2015.

A Notice of Deficiency was issued to Hālau Lōkahi Charter School (“Hālau Lōkahi”) on February 20, 2015, for failing to submit numerous required reports and information that are needed by the Commission to perform its oversight duties. The Notice of Deficiency acknowledged the unique circumstances under which it was being issued, with the pending revocation, but listed eight items, some of which were excessively overdue, that Hālau Lōkahi had yet to provide to the Commission. As of the school’s closure

on May 31, 2015, there were still items that had yet to be provided. This Notice will be closed as the school's Charter Contract was revoked effective May 31, 2015.

COMPLAINTS AGAINST CHARTER SCHOOLS

This section provides brief descriptions of the Commission staff's processing of formal complaints about charter schools that have been filed with the Commission or referred to the Commission from the Department of Education (DOE).

A complaint was received via the DOE regarding disciplinary procedures at Kihei Charter School. Staff informed the complainant that the school's complaint policy process required consultation with, first, the school director and, then the governing board. Procedures from the school's complaint policy were provided to the complainant, who was urged to contact the school director.

NOTIFICATION OF GOVERNING BOARD MEETING WAIVERS

This section provides notification of governing board meeting waivers that was granted by the executive director, under the authority delegated by the Commission. Section 302D-12, Hawaii Revised Statutes ("HRS"), states that charter school governing boards are required to post notices and agendas of public meetings not less than six calendar days prior to the meeting unless a waiver is granted by the Commission in the case of an emergency. At its June 13, 2013 general business meeting, the Commission delegated the authority to grant a waiver to the executive director.

No waivers for governing board meetings were requested for the period of May 9 through June 12, 2015.

UPDATE ON COMMISSION'S CONDITIONAL APPROVAL OF THE ADMISSION POLICIES AND PROCEDURES

This section provides the Commission with updates on the follow-up actions taken by charter schools that have had admission policies and procedures conditionally approved by the Commission.

- **Connections Public Charter School:** The approval of the school's admission policy was contingent on the removal of questions regarding McKinney-Vento eligibility, ethnicity, gender, and language spoken in its admissions application. A check of the school's website confirmed that the school continues to use the Department of Education's enrollment form, which contains the questions that the school has been requested to remove, as its admission application. Staff will continue to seek a resolution to this matter prior to the start of the school's July admissions period.
- **Hawaii Academy of Arts:** The approval of the school's admission policy was contingent on the removal of questions regarding special education and English Language Learners ("ELL") from its

admission application. Staff confirmed the school complied with this request from the Commission as the admissions application (Student Interest Form) currently posted on the school's website does not contain any questions on special education and ELL. Staff appreciates the school's speedy resolution of this matter.

- **Hakipu'u Learning Center:** The approval of the school's admission policy was contingent on working with staff to ensure that there as a clear understanding that the school's use of essay questions was separate from the admissions process and used strictly for informational purposes. Staff worked with the school director who confirmed that the admissions application had been physically separated from the informational packet, which contains the essay questions and is provided to prospective applicants.
- **Ka 'Umeke Kā'eo:** The approval of the school's admission policy was contingent on working with staff to ensure that the enrollment preference in the weighted lottery for residents of Keaukaha and Panaewa met nondiscrimination principles. The school provided definitions of the Keaukaha and Panaewa areas that emphasized the areas as geographic regions determined by street names. The school emphasized that any residents of the identified streets would receive the weighted preference in the school lottery.